

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q72653

Kenichiro NAKAJIMA

Appln. No.: 10/531,480

Group Art Unit: 1793

Confirmation No.: 9084

Examiner: John P. SHEEHAN

Filed: April 15, 2005

For: ALLOY CONTAINING RARE EARTH ELEMENT, PRODUCTION METHOD  
THEREOF, MAGNETOSTRICTIVE DEVICE, AND MAGNETIC REFRIGERANT  
MATERIAL

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore the fee of \$180.00 under 37 C.F.R. § 1.17(p) is being remitted, and a Statement Under 37 C.F.R. § 1.97(e).

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98  
U.S. Appl. No.: 10/531,480

Attorney Docket No.: Q72653

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith English-language abstracts for the two Japanese patent documents and a copy of a Communication from a foreign patent office in a counterpart application citing such documents (Office Action of September 1, 2009 in Japanese Patent Application No. 2003-349682) together with an English-language version of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

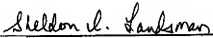
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: November 6, 2009

  
Sheldon I. Landsman  
Registration No. 25,430

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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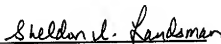
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